

To: Willard Potter[otto@demaximis.com]; Vaughn, Stephanie[Vaughn.Stephanie@epa.gov]
Cc: Robert Law[rlaw@demaximis.com]
From: Stan Kaczmarek
Sent: Thur 5/16/2013 6:20:37 PM
Subject: RE: RM 10.9 Final Design RTCs

Stephanie, I spoke with Jay Nickerson about how notifications on document availability are handled in NJDEP. He indicates that both he and Anne Hayton receive the automatic notifications from EPA's SharePoint site when documents such as our Final Design and RTC tables are uploaded. He then transfers copies of those files to a DEP portal for internal sharing. Anne then notifies others in NJDEP about the documents being available for review. Jay said he will confirm whether Anne notified ODSST about the availability of the documents. Even if they were notified, we can (and probably will) include a copy of the RTC to NJDEP comments in our submittal to NJDEP next week.

Regarding the AUD status, Suzanne has agreed to steward the AUD application and not allow too much input from others in NJDEP. Clean Earth went over their AUD application line by line and verbally with Suzanne last week, and then submitted the hard copy on Friday (5/10). Clean Earth anticipates being given the AUD by the end of May, and Clean Earth has agreed to contact us if they see any unexpected roadblocks preventing that from happening.

The Perimeter Air Monitoring Plan is under final review and should be uploaded to the EPA SharePoint site later today.

The Long Term Maintenance and Monitoring Plan is still under development and it is our goal to upload that next week.

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>>> On 5/16/2013 at 1:32 PM, in message

<FAC92589A31A104DA5E6005A65ED27671D26FE3C@BY2PRD0910MB357.namprd09.prod.outlook.com>

"Vaughn, Stephanie" <Vaughn.Stephanie@epa.gov> wrote:

Thanks, Bill. Have you heard anything from NJDEP on the RTC? Did you or Stan let Suzanne Dietrick and/or Dave Risilia know that the RTC was uploaded, or were you planning to mention it when you submit the additional 2 responses early next week? I just want to understand what's been done.

Also, could you please provide an update on the AUD status, and when you plan to submit the PAM and the Long Term Monitoring Plan? During our last call, you said you would submit the PAM by the end of last week and the monitoring plan this week.

Stephanie

From: Willard Potter [mailto:otto@demaximis.com]
Sent: Thursday, May 16, 2013 1:07 PM
To: Vaughn, Stephanie
Cc: Robert Law; Stan Kaczmarek
Subject: RM 10.9 Final Design RTCs
Importance: High

Stephanie:

Attached are the Response to Comments (RTCs) for both EPA and NJDEP that were uploaded on May 6th to SharePoint with the revised draft Final Design Report.

The NJDEP comments included in the conditions to the Waterfront Development Permit-equivalent are the same set of comments with the exception of two items in Appendix B (also attached).

We are assembling responses to the two conditions in Appendix B to be submitted next week to NJDEP:

1) Moffatt & Nichol has conducted a flooding evaluation utilizing the Delft 3D High Definition Model developed for the RM 10.9 Removal Area. It indicates that there is less than 1 inch of water elevation

change from the RM 10.9 Removal Area cap during Hurricane Irene. This model has better definition capabilities than the HEC-RAS model but the NJDEP may not accept the model's water rise predictions. Coincidentally, Tierra's modeling consultant also utilized a Delft 3D model to evaluate flooding potential associated from the sheet piling installed around their Phase 1 Removal Area. So the Department has seen this model before and apparently accepted it.

2) CH2M Hill and Great Lakes Dredging are finalizing a revised resuspension control system utilizing silt curtains deployed around an expanded portion of the RM 10.9 Removal Area. This should satisfy the NJDEP's Section 7:13-11.15 requirements but there's no guarantee - the Department identified sheet piling as the preferred isolation mechanism to comply with this section of their regulations (similar to Tierra Phase 1 Removal).

The above-two CPG responses to NJDEP's WDF Permit-equivalent conditions will be submitted early next week. The flooding evaluation report is complete and we are waiting on Hill/GLDD for the silt curtain deployment document.

Thx,

Bill P.